

HUMAN RESOURCES POLICY

No. HR05/05 07/21/2005

To: All Agencies

From: Jane C. Patrick /HRO

Subject: Local Recruitment/Employment Policy

Ref: 3 FAM 7200; 3FAM 8200; HR/OE Overseas Recruitment Policy

In compliance with referenced communications, this is to advise all Mission personnel of the local recruitment/employment policy that affect all agencies.

Purpose

This policy serves as guidance for supervisors/selecting officials and members of the Post Employment Committee, and is written as a roadmap for recruitment success. It seeks to foster a collaborative process between HR and supervisors/selecting officials that will result in staffing all positions with fully qualified personnel while adhering to Federal law, host country law, and 3 FAM regulations. This policy is intended to provide a uniform and equitable interagency system that assures positions are staffed with qualified individuals giving appropriate consideration to US Citizen Eligible Family Member (EFM) Preference, US Veterans Preference, and Equal Employment Opportunity (EEO) objectives. Specifically, the State Department and all other agencies under Chief of Mission authority may not discriminate among its employees or candidates for employment on the basis of race, color, religion, sex, national origin, handicapping condition, age, or sexual orientation.

The Human Resources Office administers the recruitment policy at post, including but not limited to following the HR/OE standardized recruitment process, providing liaison with supervisors, and serving as a technical advisor to the Post Employment Committee. Ensuring proper implementation of this procedure is the responsibility of the Human Resources Officer (HRO) for all agencies except USAID where the Executive Officer has the responsibility.

Role of the Supervisor or Selecting Official

The American or LE Staff supervisor, or other selecting official, if applicable, should be actively involved in the recruitment process from start to finish. The supervisor or selecting official bears the primary responsibility to ensure that positions are staffed with qualified candidates and without the appearance of favoritism or pre-selection. The supervisor or selecting official makes the selection based upon a full review of the candidate's qualifications and skills, maintaining consideration for preference allotted to qualified US Citizen EFMs and US Veterans.

The following actions must be taken in the first stages of the recruitment process:

Supervisor

- Notifies the HR Office **in writing as far in advance as possible** that a position is going to be vacant or that there is a need for a new position;
- Prepares a position description (PD) for a new position or reviews the PD of a current position to ensure that duties and qualification requirements accurately reflect the requirements of a newly assigned employee;
- Submits the new or updated position description to the HR Office for evaluation via CAJE. Note: An updated PD will be CAJE'd only if there are significant changes.

HR Office

- Review the PD and establishes that the duties and qualifications are clearly stated and accurate;
- Establishes that authority exists to fill the position;
- Verifies that funding is available to fill the vacancy;
- Ensures that any NSDD-38 issues are resolved and that documentation is in place for augmenting the Mission staff (if a new position).

Preparing the Vacancy Announcement

In consultation with HR, the supervisor or selecting official selects the 3 – 6 primary or essential requirements of the job from the Position Description (DS-298) that will be advertised (keeping in mind that only skills requirements listed on the Position Description (PD) as a REQUIREMENT may be advertised in the Vacancy Announcement. Education and language requirements should be elements of the advertisement as employees without the requisite education level or language skills often experience problems successfully performing the assigned duties of the position. Positions are advertised for a **minimum of two weeks**.

Application Procedures

Applications with copies of all required documentation must be received in HR by the closing date of the Vacancy Announcement. HR will not consider incomplete applications or applications received after the closing date. All candidates, including in-house candidates, **MUST** meet **ALL REQUIRED QUALIFICATIONS** as specified in the Vacancy Announcement to be considered for employment.

Screening Process

The HR Office reviews all applications for eligibility to apply and screens each application against position requirements on the Vacancy Announcement, **referring only the applications that met the minimum qualifications as stated on the vacancy to the position supervisor.**

Please Note: If one or more of the qualified candidates is a US Citizen EFM or US Veteran, the HR Office shall forward only those applications to the Post Employment Committee (PEC).

Post Employment Committee (PEC)

The Post Employment Committee becomes involved in the hiring process when there are US Citizen Eligible Family Member or US Veteran candidates. The purpose of this committee is to identify and refer best-qualified candidates to the selecting official.

The PEC identifies and ranks qualified candidates by evaluating their applications against the required qualifications shown on the vacancy announcement. The committee then refers the best-qualified candidates to the supervisor for selection.

Conducting the Interview and Making a Selection

Supervisors and selecting officials participate in the interview process by asking candidates identical questions in the supervisor's area of expertise (e.g., medical, information management, financial management), or identifies a Subject Matter Expert (SME) to ask these questions. They select candidates for positions, subject to section or agency head concurrence. If a US Citizen EFM or US Veteran is being considered, the candidate is selected in consultation with and the concurrence of the Post Employment Committee.

Selection will be based on the full performance level (or, as appropriate, training or developmental level) of the position. Please Note: When hiring at the developmental level, supervisors should have a development grade PD in place and the development grade must be included in the vacancy announcement. Required qualifications that include education, experience, language, training, skills, and knowledge **must** be met to effectively perform the duties of a position. Selections may be made at the developmental level, one or two grades below the full performance level if selected candidates lack USG experience.

Prohibited Practices:

- Supervisors or selecting officials shall not pre-select internal or external candidates for vacant positions, or give the appearance of pre-selection or favoritism of any in-house or external candidate prior to, or during the recruitment process.
- Supervisors or selecting officials shall **not** review the applications of those deemed as ineligible or not qualified.

- Supervisors or selecting officials shall not make an offer of employment, or promise or guarantee a starting salary, grade, step or any compensation and benefits package to internal (in-house) or external candidates.
- HR will not include any qualifications, skills or abilities that are not listed as REQUIRED on the PD in the Vacancy Announcement.
- Positions should not be staffed without interviewing qualified candidates. The only exception is if the position is being filled by priority placement, or in emergency hiring situations.

Employment Mechanisms

Family Member Appointment (FMA)

Eligible family members will be hired only under this mechanism. The Foreign Service Act of 1980, Sections 311 (A) and (B), authorizes US citizen family member status to be considered an affirmative factor in regard to employment at the post of residence.

Personal Services Agreement Plus (PSA – Plus)

PSA-Plus is the local hiring mechanism for all categories except Eligible Family Members. PSA-Plus replaced prior local hiring mechanisms (such as FSN direct hire, FSN PSA, FSN PSC, American PIT, American PSC).

Compensation under PSA-Plus will **not/not** be based on citizenship but on where a person is resident. Ordinarily Resident (OR) candidates will be paid under the Local Compensation Plan. Not-Ordinarily Resident (NOR) candidates will be paid under the American Foreign Service pay plan (FP) in US dollars.

The PSA-Plus mechanism will not affect an employee's rights, benefits or employment status. On the contrary, it will make available to all employees the same terms and conditions set forth in the Mission Local Compensation Plan.

Definition of Categories

Appointment Eligible Family Member (AEFM):

- A U.S. citizen spouse or U.S. citizen child as referred to in 6 FAM 111.3-1 paragraph 1 who is at least age 18;
- Listed on the travel orders of a Foreign or Civil Service employee or uniformed service member permanently assigned to or stationed at a U.S. Foreign Service post or establishment abroad with a U.S. Government agency that is under Chief of Mission authority;
- Resident at the sponsoring employee's or uniformed service member's post of assignment abroad, approved safe haven abroad, or alternate safe haven abroad and

- Does not receive a U.S. government annuity or pension based on a career in the U.S. Civil, Foreign, or uniformed services.

Eligible Family Member (EFM):

- Non-U.S. citizen spouse;
- Children who are unmarried and under 21 years of age, or regardless of age are incapable of self-support;
- Parents (including stepparents and legally adoptive parents) of the employee or spouse, when such parents are at least 51% dependent on the employee for support;
- Sisters and brothers (including stepsisters or stepbrothers, or adoptive sisters or brothers) of the employee, or the spouse, when such sisters and brothers are at least 51% dependent on the employee for support, unmarried and under 21 years of age, or regardless of age, are incapable of self-support.

Member of Household (MOH):

- Unmarried partners of the same and opposite sex;
- Parents, and other relatives or adult children who fall outside the Department's current legal and statutory definition of EFM.

Ordinarily Resident (OR):

- A citizen of the host country or a citizen of another country who has shifted the main residency focus to the host country and is eligible to work in host country.

Not Ordinarily Resident (NOR):

- A non-host country citizen (US citizen or foreign national) who, although legally resident in a host country, is not permanently resident. US citizen EFMs and Members of Household of FS, CS, and uniformed service members officially assigned to post are generally the only individuals who are NOR and are eligible to work under host country law.